

HOUSE BILL No. 2503

By Representatives Edwards, Barker, Bradford, Bridges, Brunk, Carpenter, Christmann, DeGraaf, Doll, Estes, Finney, Hedke, Hibbard, Jones, Kiegerl, Lusker, O'Brien, Osterman, Rothlisberg, Rubin, Sawyer, Shultz and Whipple

1-27

1 AN ACT concerning firearms; relating to the carrying of concealed
2 handguns by retired law enforcement officers; amending K.S.A. 2013
3 Supp. 75-7c01, 75-7c03, 75-7c05, 75-7c08, 75-7c10 and 75-7c20 and
4 repealing the existing sections.
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 New Section 1. (a) An eligible retired law enforcement officer upon
8 retirement from active duty as a law enforcement officer shall be entitled
9 to receive a license to carry a concealed handgun. No eligible retired law
10 enforcement officer who wants to obtain a license to carry a concealed
11 handgun shall be required to comply with the provisions of K.S.A. 2013
12 Supp. 75-7c05, and amendments thereto. Such officer may obtain a license
13 to carry a concealed handgun by submitting an application for such license
14 to the attorney general in such form as prescribed by the attorney general.
15 Such application shall be accompanied by documentation demonstrating
16 that the officer is an eligible retired law enforcement officer. The attorney
17 general shall not charge any fee for such applications.

18 (b) Upon receipt of an application as described in subsection (a) and
19 verification of eligibility, the attorney general shall issue a license to carry
20 a concealed handgun to the applicant. Such license shall comply with the
21 provisions of K.S.A. 2013 Supp. 75-7c03, and amendments thereto.

22 (c) Notwithstanding the provisions of K.S.A. 75-7c10, and
23 amendments thereto, a license issued to an eligible retired law enforcement
24 officer shall authorize such officer to carry a concealed handgun into any
25 building that such officer would be authorized to carry a concealed
26 handgun into if such officer were still an active law enforcement officer.

27 (d) The attorney general may adopt rules and regulations necessary to
28 implement and administer the provisions of this section.

29 (e) For the purposes of this section:

30 (1) "Eligible retired law enforcement officer" means a law
31 enforcement officer who:

32 (A) Retires from active service in good standing after not less than 20
33 years of service as a law enforcement officer; or

34 (B) retires from active service in good standing solely because of a

1 medical condition, except such law enforcement officer shall not be an
2 "eligible retired law enforcement officer" if the medical condition
3 necessitating such officer's retirement is a mental illness.

4 (2) (A) "Law enforcement officer" shall have the same meaning as
5 that term is defined in K.S.A. 74-5602, and amendments thereto; and

6 (B) shall also include any individual whose active service is
7 conducted, either in whole or in part, in a jurisdiction located outside this
8 state and is substantially the same as any of the law enforcement officer
9 positions described in subsection (g) of K.S.A. 74-5602, and amendments
10 thereto.

11 (3) "Mental illness" means those disorders specified in the diagnostic
12 and statistical manual of mental disorders, fifth edition (DSM-5) of the
13 American psychiatric association that pose a significant risk of harm to the
14 individual or to others.

15 (f) This section shall be a part of and supplemental to the personal
16 and family protection act.

17 Sec. 2. K.S.A. 2013 Supp. 75-7c01 is hereby amended to read as
18 follows: ~~75-7c01~~. K.S.A. 2013 Supp. 75-7c01 through ~~75-7e19~~ 75-7c21
19 *and section 1*, and amendments thereto, shall be known and may be cited
20 as the personal and family protection act.

21 Sec. 3. K.S.A. 2013 Supp. 75-7c03 is hereby amended to read as
22 follows: 75-7c03. (a) The attorney general shall issue licenses to carry
23 concealed handguns to persons who comply with the application and
24 training requirements of this act and who are not disqualified under K.S.A.
25 2013 Supp. 75-7c04, and amendments thereto. Such licenses shall be valid
26 throughout the state for a period of four years from the date of issuance.

27 (b) The license shall be a separate card, in a form prescribed by the
28 attorney general, that is approximately the size of a Kansas driver's license
29 and shall bear the licensee's signature, name, address, date of birth and
30 driver's license number or nondriver's identification card number except
31 that the attorney general shall assign a unique number for military
32 applicants or their dependents described in subsection (a)(1)(B) of K.S.A.
33 2013 Supp. 75-7c05, and amendments thereto. *For licenses issued*
34 *pursuant to section 1, and amendments thereto, the words "Retired Law*
35 *Enforcement Officer" shall be conspicuously printed in large, bold lettering*
36 *on the license*. At all times when the licensee is in actual possession of a
37 concealed handgun, the licensee shall carry the valid license to carry
38 concealed handguns. On demand of a law enforcement officer, the licensee
39 shall display the license to carry concealed handguns and proper
40 identification. Verification by a law enforcement officer that a person holds
41 a valid license to carry a concealed handgun may be accomplished by
42 record check using the person's driver's license information or the person's
43 concealed carry license number.

1 The license of any person who violates the provisions of this subsection
2 shall be suspended for not less than 30 days upon the first violation and
3 shall be revoked for not less than five years upon a second or subsequent
4 violation. However, a violation of this subsection shall not constitute a
5 violation of subsection (a)(4) of K.S.A. 21-4201, prior to its repeal, or
6 subsection (a)(4) of K.S.A. 2013 Supp. 21-6302, and amendments thereto,
7 if the licensee's license is valid.

8 (c) (1) Subject to the provisions of subsection (c)(2), a valid license
9 or permit to carry concealed weapons, issued by another jurisdiction, shall
10 be recognized by this state, but only while the holder is not a resident of
11 Kansas.

12 (2) A valid license or permit that is recognized by this subsection, and
13 a 180-day receipt that has been issued in accordance with this section,
14 shall only entitle the lawful holder thereof to carry concealed handguns, as
15 defined by K.S.A. 2013 Supp. 75-7c02, and amendments thereto, in this
16 state and the holder thereof shall otherwise act in accordance with the laws
17 of this state while such holder is present in this state.

18 (d) The attorney general shall issue a 180-day receipt to a person
19 who:

20 (1) Establishes residency in this state on and after July 1, 2010;

21 (2) except as provided in subsection (e), submits an application for
22 licensure under this act in accordance with subsection (b) of K.S.A. 2013
23 Supp. 75-7c05, and amendments thereto; and

24 (3) submits with such person's application for licensure a photocopy
25 of a valid license or permit to carry concealed handguns issued by another
26 jurisdiction.

27 (e) Prior to the expiration of the 180-day receipt, an applicant for
28 licensure under this section shall submit proof of training to the attorney
29 general which was:

30 (1) Completed in accordance with subsection (b)(1) of K.S.A. 2013
31 Supp. 75-7c04, and amendments thereto; or

32 (2) utilized to obtain the applicant's license or permit from another
33 jurisdiction and the attorney general determines that such prior training is
34 equal to or greater than the training standards required by this act.

35 Submission of an applicant's proof of training under this subsection is
36 considered complete on the date the proof of training is either hand-
37 delivered to the attorney general or, if sent by mail, on the date the mailing
38 is postmarked.

39 (f) (1) Except as provided in subsection (f)(3), an applicant for
40 licensure under this section may continue to carry concealed handguns in
41 this state upon receiving a 180-day receipt issued by the attorney general.

42 (2) At all times when the applicant is carrying a concealed handgun,
43 the applicant shall carry: (A) Such applicant's valid license or permit from

1 another jurisdiction; and (B) the 180-day receipt issued by the attorney
2 general.

3 (3) An applicant whose concealed carry license or permit from
4 another jurisdiction becomes invalid prior to the expiration of the attorney
5 general's 180-day receipt may not carry concealed handguns unless
6 otherwise allowed by law.

7 (g) The attorney general may:

8 (1) Create a list of concealed carry handgun licenses or permits issued
9 by other jurisdictions which the attorney general finds have training
10 requirements that are equal to or greater than those of this state and will
11 automatically qualify for recognition under this section; and

12 (2) review each application received under this section to determine if
13 the applicant's previous training qualifications were equal to or greater
14 than those of this state.

15 (h) (1) Prior to the expiration of the applicant's 180-day receipt, the
16 attorney general shall either approve or deny an application under this
17 section.

18 (2) Upon successful review of a background check in accordance
19 with K.S.A. 2013 Supp. 75-7c05, and amendments thereto, and upon
20 receipt of all required documentation and moneys outlined in this section,
21 the attorney general shall approve an application received under this
22 section.

23 (3) If an applicant under this section is disqualified under the
24 provisions of K.S.A. 2013 Supp. 75-7c04, and amendments thereto, or
25 fails to submit sufficient proof of training, the attorney general shall deny
26 the application in accordance with K.S.A. 2013 Supp. 75-7c07, and
27 amendments thereto.

28 (i) For the purposes of this section:

29 (1) "Equal to or greater than" means the applicant's prior training
30 meets or exceeds the training established in this act by having required, at
31 a minimum, the applicant to: (A) Receive instruction on the laws of self-
32 defense; and (B) demonstrate training and competency in the safe
33 handling, storage and actual firing of handguns.

34 (2) "Jurisdiction" means another state or the District of Columbia.

35 (3) "Valid license or permit" means a concealed carry handgun
36 license or permit from another jurisdiction which has not expired and,
37 except for any residency requirement of the issuing jurisdiction, is
38 currently in good standing.

39 Sec. 4. K.S.A. 2013 Supp. 75-7c05 is hereby amended to read as
40 follows: 75-7c05. (a) The application for a license pursuant to this act shall
41 be completed, under oath, on a form prescribed by the attorney general and
42 shall only include:

43 (1) (A) Subject to the provisions of subsection (a)(1)(B), the name,

1 address, social security number, Kansas driver's license number or Kansas
2 nondriver's license identification number, place and date of birth, a
3 photocopy of the applicant's driver's license or nondriver's identification
4 card and a photocopy of the applicant's certificate of training course
5 completion; (B) in the case of an applicant who presents proof that such
6 person is on active duty with any branch of the armed forces of the United
7 States, or is the dependent of such a person, and who does not possess a
8 Kansas driver's license or Kansas nondriver's license identification, the
9 number of such license or identification shall not be required;

10 (2) a statement that the applicant is in compliance with criteria
11 contained within K.S.A. 2013 Supp. 75-7c04, and amendments thereto;

12 (3) a statement that the applicant has been furnished a copy of this act
13 and is knowledgeable of its provisions;

14 (4) a conspicuous warning that the application is executed under oath
15 and that a false answer to any question, or the submission of any false
16 document by the applicant, subjects the applicant to criminal prosecution
17 under K.S.A. 2013 Supp. 21-5903, and amendments thereto; and

18 (5) a statement that the applicant desires a concealed handgun license
19 as a means of lawful self-defense.

20 (b) The applicant shall submit to the sheriff of the county where the
21 applicant resides, during any normal business hours:

22 (1) A completed application described in subsection (a);

23 (2) a nonrefundable license fee of \$132.50, if the applicant has not
24 previously been issued a statewide license or if the applicant's license has
25 permanently expired, which fee shall be in the form of two cashier's
26 checks, personal checks or money orders of \$32.50 payable to the sheriff
27 of the county where the applicant resides and \$100 payable to the attorney
28 general;

29 (3) if applicable, a photocopy of the proof of training required by
30 subsection (d) of K.S.A. 2013 Supp. 75-7c03, and amendments thereto;
31 and

32 (4) a full frontal view photograph of the applicant taken within the
33 preceding 30 days.

34 (c) (1) The sheriff, upon receipt of the items listed in subsection (b) of
35 this section, shall provide for the full set of fingerprints of the applicant to
36 be taken and forwarded to the attorney general for purposes of a criminal
37 history records check as provided by subsection (d). In addition, the sheriff
38 shall forward to the attorney general the application and the portion of the
39 original license fee which is payable to the attorney general. The cost of
40 taking such fingerprints shall be included in the portion of the fee retained
41 by the sheriff. Notwithstanding anything in this section to the contrary, an
42 applicant shall not be required to submit fingerprints for a renewal
43 application under K.S.A. 2013 Supp. 75-7c08, and amendments thereto.

1 (2) The sheriff of the applicant's county of residence or the chief law
2 enforcement officer of any law enforcement agency, at the sheriff's or chief
3 law enforcement officer's discretion, may participate in the process by
4 submitting a voluntary report to the attorney general containing readily
5 discoverable information, corroborated through public records, which,
6 when combined with another enumerated factor, establishes that the
7 applicant poses a significantly greater threat to law enforcement or the
8 public at large than the average citizen. Any such voluntary reporting shall
9 be made within 45 days after the date the sheriff receives the application.
10 Any sheriff or chief law enforcement officer submitting a voluntary report
11 shall not incur any civil or criminal liability as the result of the good faith
12 submission of such report.

13 (3) All funds retained by the sheriff pursuant to the provisions of this
14 section shall be credited to a special fund of the sheriff's office which shall
15 be used solely for the purpose of administering this act.

16 (d) Each applicant shall be subject to a state and national criminal
17 history records check which conforms to applicable federal standards,
18 including an inquiry of the national instant criminal background check
19 system for the purpose of verifying the identity of the applicant and
20 whether the applicant has been convicted of any crime or has been the
21 subject of any restraining order or any mental health related finding that
22 would disqualify the applicant from holding a license under this act. The
23 attorney general is authorized to use the information obtained from the
24 state or national criminal history record check to determine the applicant's
25 eligibility for such license.

26 (e) Except as provided in K.S.A. 2013 Supp. 75-7c03, and
27 amendments thereto, within 90 days after the date of receipt of the items
28 listed in subsection (b), the attorney general shall:

29 (1) Issue the license and certify the issuance to the department of
30 revenue; or

31 (2) deny the application based solely on: (A) The report submitted by
32 the sheriff or other chief law enforcement officer under subsection (c)(2)
33 for good cause shown therein; or (B) the ground that the applicant is
34 disqualified under the criteria listed in K.S.A. 2013 Supp. 75-7c04, and
35 amendments thereto. If the attorney general denies the application, the
36 attorney general shall notify the applicant in writing, stating the ground for
37 denial and informing the applicant the opportunity for a hearing pursuant
38 to the Kansas administrative procedure act.

39 (f) Each person issued a license shall pay to the department of
40 revenue a fee for the cost of the license which shall be in amounts equal to
41 the fee required pursuant to K.S.A. 8-243 and 8-246, and amendments
42 thereto, for replacement of a driver's license.

43 (g) (1) A person who is a retired law enforcement officer, as defined

1 in K.S.A. 2013 Supp. 21-5111, and amendments thereto, shall be: (A)
2 Required to pay an original license fee as provided in subsection (b)(2), to
3 be forwarded by the sheriff to the attorney general; (B) exempt from the
4 required completion of a handgun safety and training course if such person
5 was certified by the Kansas commission on peace officer's standards and
6 training, or similar body from another jurisdiction, not more than eight
7 years prior to submission of the application; (C) required to pay the license
8 renewal fee; (D) required to pay to the department of revenue the fees
9 required by subsection (f); and (E) required to comply with the criminal
10 history records check requirement of this section.

11 (2) Proof of retirement as a law enforcement officer shall be required
12 and provided to the attorney general in the form of a letter from the agency
13 head, or their designee, of the officer's retiring agency that attests to the
14 officer having retired in good standing from that agency as a law
15 enforcement officer for reasons other than mental instability and that the
16 officer has a nonforfeitable right to benefits under a retirement plan of the
17 agency.

18 (h) A person who is a corrections officer, a parole officer or a
19 corrections officer employed by the federal bureau of prisons, as defined
20 by K.S.A. 75-5202, and amendments thereto, shall be: (1) Required to pay
21 an original license fee as provided in subsection (b)(2); (2) exempt from the
22 required completion of a handgun safety and training course if such
23 person was issued a certificate of firearms training by the department of
24 corrections or the federal bureau of prisons or similar body not more than
25 one year prior to submission of the application; (3) required to pay the
26 license renewal fee; (4) required to pay to the department of revenue the
27 fees required by subsection (f); and (5) required to comply with the
28 criminal history records check requirement of this section.

29 (i) *Except for subsection (f), the provisions of this section shall not*
30 *apply to any eligible retired law enforcement officer, as defined in section*
31 *1, and amendments thereto, who applies for a license pursuant to section*
32 *1, and amendments thereto.*

33 Sec. 5. K.S.A. 2013 Supp. 75-7c08 is hereby amended to read as
34 follows: 75-7c08. (a) Not less than 90 days prior to the expiration date of
35 the license, the attorney general shall mail to the licensee a written notice
36 of the expiration and a renewal form prescribed by the attorney general.
37 *Except as otherwise provided in subsection (d),* the licensee shall renew
38 the license on or before the expiration date by filing with the attorney
39 general the renewal form, a notarized affidavit, either in person or by
40 certified mail, stating that the licensee remains qualified pursuant to the
41 criteria specified in K.S.A. 2013 Supp. 75-7c04, and amendments thereto,
42 a full frontal view photograph of the applicant taken within the preceding
43 30 days and a nonrefundable license renewal fee of \$25 payable to the

1 attorney general. The attorney general shall complete a name-based
2 background check, including a search of the national instant criminal
3 background check system database. A licensee who fails to file a renewal
4 application on or before the expiration date of the license must pay an
5 additional late fee of \$15. A renewal application is considered filed on the
6 date the renewal form, affidavit, and required fees are delivered in person
7 to the attorney general's office or on the date a certified mailing to the
8 attorney general's office containing these items is postmarked.

9 (b) *Except as otherwise provided in subsection (d), upon receipt of a*
10 *renewal application as specified in subsection (a), a background check in*
11 *accordance with subsection (d) of K.S.A. 2013 Supp. 75-7c05, and*
12 *amendments thereto, shall be completed. Fingerprints shall not be required*
13 *for renewal applications. If the licensee is not disqualified as provided by*
14 *this act, the license shall be renewed upon receipt by the attorney general*
15 *of the items listed in subsection (a) and the completion of the background*
16 *check.*

17 (c) No license shall be renewed if the renewal application is filed six
18 months or more after the expiration date of the license, and such license
19 shall be deemed to be permanently expired. A person whose license has
20 been permanently expired may reapply for licensure but an application for
21 licensure and fees pursuant to K.S.A. 2013 Supp. 75-7c05, and
22 amendments thereto, shall be submitted, and a background investigation
23 including the submission of fingerprints, shall be conducted pursuant to
24 the provisions of that section.

25 (d) (1) *A licensee whose license was issued pursuant to section 1, and*
26 *amendments thereto, shall be required to:*

27 (A) *Submit the renewal form and a notarized affidavit, either in*
28 *person or by certified mail, stating that the licensee remains qualified*
29 *pursuant to the criteria specified in K.S.A. 2013 Supp. 75-7c04, and*
30 *amendments thereto; and*

31 (B) *submit certification that a name-based background check has*
32 *been completed by the law enforcement agency from which the licensee*
33 *retired.*

34 (2) *Upon receipt by the attorney general of the items listed in*
35 *paragraph (1), the license shall be renewed.*

36 (3) *The attorney general shall not charge any fee for such renewal*
37 *applications.*

38 Sec. 6. K.S.A. 2013 Supp. 75-7c10 is hereby amended to read as
39 follows: 75-7c10. Subject to the provisions of K.S.A. 2013 Supp. 75-7c20
40 and section 1, and amendments thereto:

41 (a) Provided that the building is conspicuously posted in accordance
42 with rules and regulations adopted by the attorney general as a building
43 where carrying a concealed handgun is prohibited, no license issued

1 pursuant to or recognized by this act shall authorize the licensee to carry a
2 concealed handgun into any building.

3 (b) Nothing in this act shall be construed to prevent:

4 (1) Any public or private employer from restricting or prohibiting by
5 personnel policies persons licensed under this act from carrying a
6 concealed handgun while on the premises of the employer's business or
7 while engaged in the duties of the person's employment by the employer,
8 except that no employer may prohibit possession of a handgun in a private
9 means of conveyance, even if parked on the employer's premises; or

10 (2) any private business or city, county or political subdivision from
11 restricting or prohibiting persons licensed or recognized under this act
12 from carrying a concealed handgun within a building or buildings of such
13 entity, provided that the building is posted in accordance with rules and
14 regulations adopted by the attorney general pursuant to subsection (h), as a
15 building where carrying a concealed handgun is prohibited.

16 (c) (1) Any private entity which provides adequate security measures
17 in a private building and which conspicuously posts signage in accordance
18 with this section prohibiting the carrying of a concealed handgun in such
19 building as authorized by the personal and family protection act shall not
20 be liable for any wrongful act or omission relating to actions of persons
21 licensed to carry a concealed handgun concerning acts or omissions
22 regarding such handguns.

23 (2) Any private entity which does not provide adequate security
24 measures in a private building and which allows the carrying of a
25 concealed handgun as authorized by the personal and family protection act
26 shall not be liable for any wrongful act or omission relating to actions of
27 persons licensed to carry a concealed handgun concerning acts or
28 omissions regarding such handguns.

29 (3) Nothing in this act shall be deemed to increase the liability of any
30 private entity where liability would have existed under the personal and
31 family protection act prior to the effective date of this act.

32 (d) The governing body or the chief administrative officer, if no
33 governing body exists, of any of the following institutions may permit any
34 employee, who is licensed to carry a concealed handgun as authorized by
35 the provisions of K.S.A. 2013 Supp. 75-7c01 et seq., and amendments
36 thereto, to carry a concealed handgun in any building of such institution, if
37 the employee meets such institution's own policy requirements regardless
38 of whether such building is conspicuously posted in accordance with the
39 provisions of this section:

40 (1) A unified school district;

41 (2) a postsecondary educational institution, as defined in K.S.A. 74-
42 3201b, and amendments thereto;

43 (3) a state or municipal-owned medical care facility, as defined in

1 K.S.A. 65-425, and amendments thereto;

2 (4) a state or municipal-owned adult care home, as defined in K.S.A.
3 39-923, and amendments thereto;

4 (5) a community mental health center organized pursuant to K.S.A.
5 19-4001 et seq., and amendments thereto; or

6 (6) an indigent health care clinic, as defined by K.S.A. 2013 Supp.
7 65-7402, and amendments thereto.

8 (e) (1) It shall be a violation of this section to carry a concealed
9 handgun in violation of any restriction or prohibition allowed by
10 subsection (a) or (b) if the building is posted in accordance with rules and
11 regulations adopted by the attorney general pursuant to subsection (h). Any
12 person who violates this section shall not be subject to a criminal penalty
13 but may be subject to denial to such premises or removal from such
14 premises.

15 (2) Notwithstanding the provisions of subsection (a) or (b), it is not a
16 violation of this section for the United States attorney for the district of
17 Kansas, the attorney general, any district attorney or county attorney, any
18 assistant United States attorney if authorized by the United States attorney
19 for the district of Kansas, any assistant attorney general if authorized by
20 the attorney general, or any assistant district attorney or assistant county
21 attorney if authorized by the district attorney or county attorney by whom
22 such assistant is employed, to possess a handgun within any of the
23 buildings described in subsection (a) or (b), subject to any restrictions or
24 prohibitions imposed in any courtroom by the chief judge of the judicial
25 district. The provisions of this paragraph shall not apply to any person who
26 is not in compliance with K.S.A. 2013 Supp. 75-7c19, and amendments
27 thereto.

28 (3) Notwithstanding the provisions of subsection (a) or (b), it is not a
29 violation of this section for a law enforcement officer from another state or
30 a retired law enforcement officer meeting the requirements of the federal
31 law enforcement officers safety act, 18 U.S.C. §§ 926B and 926C, to
32 possess a handgun within any of the buildings described in subsection (a)
33 or (b), subject to any restrictions or prohibitions imposed in any courtroom
34 by the chief judge of the judicial district.

35 (f) On and after July 1, 2014, provided that the provisions of K.S.A.
36 2013 Supp. 75-7c21, and amendments thereto, are in full force and effect,
37 the provisions of this section shall not apply to the carrying of a concealed
38 handgun in the state capitol.

39 (g) For the purposes of this section:

40 (1) "Adequate security measures" shall have the same meaning as the
41 term is defined in K.S.A. 2013 Supp. 75-7c20, and amendments thereto;
42 *and*

43 (2) "building" shall not include any structure, or any area of any

1 structure, designated for the parking of motor vehicles.

2 (h) Nothing in this act shall be construed to authorize the carrying or
3 possession of a handgun where prohibited by federal law.

4 (i) The attorney general shall adopt rules and regulations prescribing
5 the location, content, size and other characteristics of signs to be posted on
6 a building where carrying a concealed handgun is prohibited pursuant to
7 subsections (a) and (b). Such regulations shall prescribe, at a minimum,
8 that:

9 (1) The signs be posted at all exterior entrances to the prohibited
10 buildings;

11 (2) the signs be posted at eye level of adults using the entrance and
12 not more than 12 inches to the right or left of such entrance;

13 (3) the signs not be obstructed or altered in any way; and

14 (4) signs which become illegible for any reason be immediately
15 replaced.

16 Sec. 7. K.S.A. 2013 Supp. 75-7c20 is hereby amended to read as
17 follows: 75-7c20. (a) The carrying of a concealed handgun as authorized
18 by the personal and family protection act shall not be prohibited in any
19 state or municipal building unless such building has adequate security
20 measures to ensure that no weapons are permitted to be carried into such
21 building and the building is conspicuously posted in accordance with
22 K.S.A. 2013 Supp. 75-7c10, and amendments thereto.

23 (b) Any state or municipal building which contains both public access
24 entrances and restricted access entrances shall provide adequate security
25 measures at the public access entrances in order to prohibit the carrying of
26 any weapons into such building.

27 (c) No state agency or municipality shall prohibit an employee who is
28 licensed to carry a concealed handgun under the provisions of the personal
29 and family protection act from carrying such concealed handgun at the
30 employee's work place unless the building has adequate security measures
31 and the building is conspicuously posted in accordance with K.S.A. 2013
32 Supp. 75-7c10, and amendments thereto.

33 (d) It shall not be a violation of the personal and family protection act
34 for a person to carry a concealed handgun into a state or municipal
35 building so long as that person is licensed to carry a concealed handgun
36 under the provisions of the personal and family protection act and has
37 authority to enter through a restricted access entrance into such building
38 which provides adequate security measures and the building is
39 conspicuously posted in accordance with K.S.A. 2013 Supp. 75-7c10, and
40 amendments thereto.

41 (e) A state agency or municipality which provides adequate security
42 measures in a state or municipal building and which conspicuously posts
43 signage in accordance with K.S.A. 2013 Supp. 75-7c10, and amendments

1 thereto, prohibiting the carrying of a concealed handgun in such building,
2 as authorized by the personal and family protection act, such state agency
3 or municipality shall not be liable for any wrongful act or omission
4 relating to actions of persons licensed to carry a concealed handgun
5 concerning acts or omissions regarding such handguns.

6 (f) A state agency or municipality which does not provide adequate
7 security measures in a state or municipal building and which allows the
8 carrying of a concealed handgun as authorized by the personal and family
9 protection act shall not be liable for any wrongful act or omission relating
10 to actions of persons licensed to carry a concealed handgun concerning
11 acts or omissions regarding such handguns.

12 (g) Nothing in this act shall limit the ability of a corrections facility, a
13 jail facility or a law enforcement agency to prohibit the carrying of a
14 handgun or other firearm concealed or unconcealed by any person into any
15 secure area of a building located on such premises, except those areas of
16 such building outside of a secure area and readily accessible to the public
17 shall be subject to the provisions of subsection (b).

18 (h) Nothing in this section shall limit the ability of the chief judge of
19 each judicial district to prohibit the carrying of a concealed handgun by
20 any person into courtrooms or ancillary courtrooms within the district
21 provided that other means of security are employed such as armed law
22 enforcement or armed security officers.

23 (i) The governing body or the chief administrative officer, if no
24 governing body exists, of a state or municipal building, may exempt the
25 building from this section until January 1, 2014, by notifying the Kansas
26 attorney general and the law enforcement agency of the local jurisdiction
27 by letter of such exemption. Thereafter, such governing body or chief
28 administrative officer may exempt a state or municipal building for a
29 period of only four years by adopting a resolution, or drafting a letter,
30 listing the legal description of such building, listing the reasons for such
31 exemption, and including the following statement: "A security plan has
32 been developed for the building being exempted which supplies adequate
33 security to the occupants of the building and merits the prohibition of the
34 carrying of a concealed handgun as authorized by the personal and family
35 protection act." A copy of the security plan for the building shall be
36 maintained on file and shall be made available, upon request, to the
37 Kansas attorney general and the law enforcement agency of local
38 jurisdiction. Notice of this exemption, together with the resolution adopted
39 or the letter drafted, shall be sent to the Kansas attorney general and to the
40 law enforcement agency of local jurisdiction. The security plan shall not
41 be subject to disclosure under the Kansas open records act.

42 (j) The governing body or the chief administrative officer, if no
43 governing body exists, of any of the following institutions may exempt

1 any building of such institution from this section for a period of four years
2 only by stating the reasons for such exemption and sending notice of such
3 exemption to the Kansas attorney general:

4 (1) A state or municipal-owned medical care facility, as defined in
5 K.S.A. 65-425, and amendments thereto;

6 (2) a state or municipal-owned adult care home, as defined in K.S.A.
7 39-923, and amendments thereto;

8 (3) a community mental health center organized pursuant to K.S.A.
9 19-4001 et seq., and amendments thereto;

10 (4) an indigent health care clinic, as defined by K.S.A. 2013 Supp.
11 65-7402, and amendments thereto; or

12 (5) a postsecondary educational institution, as defined in K.S.A. 74-
13 3201b, and amendments thereto, including any buildings located on the
14 grounds of such institution and any buildings leased by such institution.

15 (k) The provisions of this section shall not apply to any building
16 located on the grounds of the Kansas state school for the deaf or the
17 Kansas state school for the blind.

18 *(l) Notwithstanding the provisions of subsections (a) through (k), a*
19 *licensee issued a license pursuant to section 1, and amendments thereto,*
20 *shall be authorized to carry a concealed handgun into any building that*
21 *such licensee would be authorized to carry a concealed handgun into if*
22 *such licensee were still an active law enforcement officer, regardless of*
23 *whether the requirements of this section for prohibiting the carrying of*
24 *concealed handguns into such building have been satisfied.*

25 (†) (m) For purposes of this section:

26 (1) "Adequate security measures" means the use of electronic
27 equipment and personnel at public entrances to detect and restrict the
28 carrying of any weapons into the state or municipal building, including,
29 but not limited to, metal detectors, metal detector wands or any other
30 equipment used for similar purposes to ensure that weapons are not
31 permitted to be carried into such building by members of the public.
32 Adequate security measures for storing and securing lawfully carried
33 weapons, including, but not limited to, the use of gun lockers or other
34 similar storage options may be provided at public entrances.

35 (2) The terms "municipality" and "municipal" are interchangeable
36 and have the same meaning as the term "municipality" is defined in K.S.A.
37 75-6102, and amendments thereto, but does not include school districts.

38 (3) "Restricted access entrance" means an entrance that is restricted to
39 the public and requires a key, keycard, code, or similar device to allow
40 entry to authorized personnel.

41 (4) "State" means the same as the term is defined in K.S.A. 75-6102,
42 and amendments thereto.

43 (5) (A) "State or municipal building" means a building owned or

1 leased by such public entity. It does not include a building owned by the
2 state or a municipality which is leased by a private entity whether for
3 profit or not-for-profit or a building held in title by the state or a
4 municipality solely for reasons of revenue bond financing.

5 (B) On and after July 1, 2014, provided that the provisions of K.S.A.
6 2013 Supp. 75-7c21, and amendments thereto, are in full force and effect,
7 the term "state and municipal building" shall not include the state capitol.

8 (6) "Weapon" means a weapon described in K.S.A. 2013 Supp. 21-
9 6301, and amendments thereto.

10 ~~(m)~~ (n) This section shall be a part of and supplemental to the
11 personal and family protection act.

12 Sec. 8. K.S.A. 2013 Supp. 75-7c01, 75-7c03, 75-7c05, 75-7c08, 75-
13 7c10 and 75-7c20 are hereby repealed.

14 Sec. 9. This act shall take effect and be in force from and after its
15 publication in the statute book.